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NSC FOR DICASAGRANDE  
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E.O. 12958: N/A  
TAGS: [PARM](#) [PREL](#) [CWC](#)  
SUBJECT: CHEMICAL WEAPONS CONVENTION (CWC): WRAP-UP FOR  
WEEK ENDING SEPTEMBER 29, 2006.

This is CWC-90-06.

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CW DESTRUCTION  
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¶1. (U) Although there have been relatively few indications of renewed interest in the U.S. draft decision, several recent conversations are worth noting. First, Ambassador Petri of Germany has, in his role as WEOG Vice Chair of the CW Cluster, told Ambassador Javits that he has recently been approached by several delegations expressing concern over the status of CW destruction in general, and the U.S. and Russian extension requests in particular. Petri continues to pressure U.S. del for open discussions (but not formal consultations) on the subject. Although this degree of concern has not been readily apparent to U.S. del reps, Javits explained that the U.S. stands ready to provide clarification on its program at any time, and could in principle consider such discussions, but would appreciate a more detailed explanation as to how Petri envisioned the discussions being conducted. Javits also noted possible concerns having a WEOG Chair of these discussions might raise, and recommended Ambassador Mkhize be consulted in her role as EC Chair. Del will report on any requests for such discussions, and continue to press for clarification of concerns, and of the modalities of discussion, prior to final commitment. Del will also work with WEOG and others to ensure realistic expectations of any such session (i.e. no re-drafting of U.S. decision text).

¶2. (U) Petri also noted he has spoken with Russian Ambassador Gevorgian, who stated Russia's preference not to participate in open discussions on CW destruction, and particularly not in a joint session with the United States. However, Gevorgian said Russia was not rejecting the idea, although he didn't see the benefit in such a meeting, as his delegation would merely reiterate the Russian position articulated during previous EC sessions. He also made the now familiar point that Russia does not believe it should be seen in the same light as the United States, as it firmly believes it will complete destruction by the Convention deadline of April 29, 2012. On the topic of visits, Gevorgian also reiterated the Russian skepticism in the utility of such visits, but said they could be considered on the basis of an event or

particular concern, such as missing an intermediate deadline, and that Russia might consider including a clause in their draft decision to indicate this. He noted Russia would be willing to discuss specific modalities only in the event that a visit is actually deemed necessary (e.g. if Russia were to miss its next intermediate deadline.

13. (U) In private discussions with Malaysian Ambassador Farida Arrafin, Javits was told that a great deal of concern surrounding the status of U.S. CW destruction and its extension request still exists in the Non Aligned Movement. (Concern also extends to other possessor states, and generally slow progress toward complete elimination of CW stockpiles, but is focused on U.S. and Russia as the two major possessors.) Arrafin implied that concern will become increasingly apparent in the period leading up to EC-47 and the CSP-11. Mexico Ambassador Sandra Fuentes later explained that the NAM is drafting a strongly-worded resolution concerning CW destruction, and has requested that Mexico, Brazil and China associate themselves with it. (Del comment: It is unclear whether Fuentes was referring to a future UN First Committee resolution, or the recent NAM statement in Havana, which was surprisingly mild in its exhortations for possessor states to complete destruction "as soon as possible." End comment.) Del will work in the coming weeks to ascertain the true level of concern among delegations, and in which cases this concern (which has remained somewhat constant but low-level since the U.S. submitted its extension request in April 2006) may translate into blocking consensus on the U.S. draft decision.

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2005 VIR  
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14. (U) Del rep met with Cynthia Echavarria, Policy Review Branch, to deliver the U.S. written comments to the 2005 VIR for distribution to States Parties. Del rep expressed appreciation for TS efforts on the VIR, and Washington's general support for the content and format of the report, but also highlighted concerns regarding timely submission of the document for States Parties' review. Del rep also reviewed the U.S. requests for further information not covered in the written comments). Results of these discussions will be reported separately, and Del will query delegations bilaterally as appropriate.

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SAMPLING AND ANALYSIS DURING ARTICLE VI INSPECTIONS  
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15. (U) During the WEOG meeting, Switzerland shared that they had been the recipient of the first Article VI inspection that incorporated sampling and analysis activities, during the first week of September. The plant site inspected was a Schedule 2 site, and the facility had been inspected four times before under Schedule 2, Schedule 3, and UDOC regimes. The inspection team consisted of five members, broken into two sub teams, the second team devoted to analytical activities. Although the 96-hour inspection window was not exceeded, the inspection team was in-country for seven days.

16. (U) Although the inspection site was not known in advance, the NA correctly guessed where it would be, as there were only two Schedule 2 production plant sites in Switzerland, and the other site was inspected fairly recently. However, the modalities of how sampling and analysis would be carried out were agreed to in advance. These modalities included transporting samples approximately 90-minutes (an acceptable time delay to the inspection team) to a predetermined location on the Spiez Laboratory (the Swiss designated lab). For purposes of this inspection, this remote space was considered part of the inspection site. This arrangement was made at the convenience of the NA and

the inspected site.

¶17. (U) The plant site produces a Schedule 1 chemical in trace amounts as an unwanted byproduct. Two samples were taken within the declared plant, including the "mother liquor", where the unwanted byproduct was expected. (It should be noted that the sampling point designated in the site's facility agreement - at the waste treatment facility - was not used because it was not felt to be appropriate and it is located within the site infrastructure, not the declared plant.) The NA reported that the Schedule 1 chemical was detected in the analysis in the "expected concentration" of about one ppm, although it was not clear whether the concentration was demonstrated by the inspection team's analysis or the parallel analyses performed by the NA. The inspection team's analyses were run in the "open" mode, which the NA felt helped in appropriately identifying the Schedule 1 chemical.

¶18. (U) Logistically, it is important to note that the inspection team arrived via road and that they brought all of their own chemicals and gases. Other Del discussions with Germany, Japan, and France indicated that the TS intends to do this in their cases, as well. Switzerland intends to prepare a report about their experiences before the November meeting of National Authorities.

¶19. (U) In later meetings, DelRep learned that Japan intends to allow analyses in "open" mode (after consideration with their industry), while France intends to run in "blinded" mode first and then "open" if needed. Japan is also concerned with certain TS chemicals (e.g., hexachlorobenzene, because of PIC and POC conventions) and gas cylinders (because of safety considerations at airports). Japan also feels it is important to identify chemicals in the PIB that could potentially be discovered during an analysis. Japan,

Germany, and France all intend to modify their POE requirements and allow the TS sampling and analysis equipment to be shipped directly to the inspection site.

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INDUSTRY CLUSTER: GENERAL REVIEW  
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¶10. (U) The EC Vice-Chair for the Industry Cluster, Amb Fernandez de Soto (Colombia), chaired a general session to address the current status of the ongoing consultations and to try to revitalize the cluster in general. Each facilitator briefly summarized where their consultations stand and plans for the future. There was very little intervention from delegations, except for a call from New Zealand to see an OCPF site selection decision reached quickly, offering a "trial period" of the facilitator's latest proposal as an option, if delegations were concerned about making a permanent selection of a methodology.

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INDUSTRY CLUSTER: SCHEDULE 3 TRANSFERS  
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¶11. (U) The general discussion was fairly limited, with delegations either giving support to the current facilitator proposal as written or offering very minor editorial suggestions. DelRep deployed the text changes from guidance. Iran went on to argue that the current text had achieved a "delicate balance" of opinions and that many delegations had demonstrated flexibility and conceded much to achieve this and rejected any "last minute" changes like those from the U.S. Silence from all other delegations resulted in our isolation. However, afterward, the facilitator acknowledged to DelRep that he had not incorporated all of our July comments into this recent draft, hoping to strike a balance, but contributing to the isolation created.

¶12. (U) Subsequent Del discussions with the German

delegation pointed out some of our concerns, particularly with the language of PP 5, which they had not considered before; they committed to looking into this further. The Del will work on drafting new suggested edits which we hope will gain the support of the Germans before being presented to the facilitator for consideration in a future draft.

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INDUSTRY CLUSTER: TRANSFER DISCREPANCIES  
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¶13. (U) This was the second meeting on this topic within the industry cluster under its current facilitation. However, the facilitators and TS came in with some specific recommendations. They proposed that we consider changing the TS's current procedure for determining whether an

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import/export difference should be considered a "discrepancy" from a percentage (20%) to a quantity. The proposed new definition is - "A discrepancy arises when, for a transferred Schedule 2 or 3 chemical, the difference between the quantities declared by the importing and exporting SPs is more than the relevant threshold specified for the chemical in( the Verification Annex." Although many delegations did not as yet have formal guidance, many spoke in support of this proposal.

¶14. (U) The other topic on the agenda - definitions of imports and exports - was considered more carefully. There was a general request that this be given careful consideration by the Legal Advisor, which the facilitators committed to doing. One concern was that these definitions obviously reach far beyond the Convention. Caution was also expressed about using other multilateral agreements (e.g., those on narcotics trafficking) as models.

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INDUSTRY CLUSTER: OCPF SITE SELECTION  
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¶15. (U) Although most delegations indicated that their capitals were still studying the latest facilitator proposal, many spoke favorably of it, including many delegations that were completely opposed to any previous proposal with elements of "political nominations". Belgium was concerned about deviating so far from what they felt was the intention coming out of early discussions in Geneva, but they were willing to compromise, offering the idea of a "trial period" for this new methodology. Canada expressed concerns about the A14 algorithm, and many others agreed, particularly as this has the potential to impact two of the three components of this methodology. Japan also wondered if the fact that a facility has been inspected before could be incorporated into this methodology. Several delegations asked for further analyses of the methodology using current year data.

¶16. (U) Canada, New Zealand, and others were concerned with the timing of this Qcision, expressing a strong desire to have it considered at the next CSP. They recommended that there be two meetings on this topic during the next industry week to ensure progress toward that end.

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INDUSTRY CLUSTER: SCHEDULE 2A/2A\* LOW CONCENTRATION  
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¶17. (SBU) In a sidebar prior to the meeting, Martin Rudduck (UK) mentioned to DelRep that they had researched an idea that other delegations had proposed some time ago, that of moving the Schedule 2A chemical Amiton to Schedule 1. The UK now opposes pursuing this idea, as they fear that this would mean having to declare new Schedule 1 production and that the company that produced this chemical in the UK, ICI (now

Zeneca), would be subject to increased scrutiny and the possible destruction of their previous Amiton facility. Rudduck felt certain that other SPs, including India, would have similar concerns.

¶18. (U) Many delegations favor the current facilitator's proposal - Colombia, the Netherlands, Switzerland, the UK, Canada, Sweden, Finland. DelRep deployed guidance, which was supported by Germany, France, Japan. Iran may have saved the day by saying that, although they in principle support the concept of low concentrations, they are still concerned about the construction of the draft decision and the corresponding LAO opinion. Pakistan shared these concerns and was also concerned that 30 percent of the verification threshold for Schedule 2 A (300 kg) is higher than the declaration threshold for Schedule 2A (100 kg), creating a possible declaration loophole that does not exist anywhere else in the implementation of the Convention. Iran, supported by others, asked for LAO to give more details about the thought process leading to its opinion.

¶19. (U) India said it is willing to support any level for all of these chemicals above one percent, but was concerned that the construction of this decision was inconsistent with any other such decision. They asked for more background on how the Schedule 2B/3 decision was reached, where low concentrations at high volumes avoid declaration. Many other delegations supported receiving this additional background information, which the facilitator committed to trying to gather.

¶20. (U) The active discussion and the introduction of new delegates who were not familiar with the background of this issue prevented the facilitator from reaching a final decision on this issue, presumably negative, that would allow him to refer the issue back to the EC. In addition, Germany proposed that, given the lack of progress on the current proposal, the consultation move back to Option C of the facilitator's October 2005 proposal as a new start and ask LAO for an opinion regarding it.

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INDUSTRY CLUSTER: LATE DECLARATIONS  
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¶21. (U) The consultation was well-attended. In response to earlier requests from delegates, the TS presented the following information: their present schedule for reminders to SPs of their Article VI declaration obligations, 2004 and 2005 actual declaration submissions (before versus after deadlines). The facilitator also presented information about the connection between late declarations and factors like SPs meeting their Article VII obligations and "nil" initial declarations. These presentations resulted in many questions but no new requests for information.

¶22. (U) The discussion on the concept of "nil" declarations was very well-received. The concept was strongly supported by France, Australia, the UK, the Netherlands, and Switzerland. No opposition was expressed. Although there were questions about how this would be implemented, there was general support for preparation of a draft decision implementing "nil" declarations. The facilitator was careful to avoid pursuing discussions on how SPs might implement this internally - e.g., "nil" declarations from plant sites - stating these internal implementation measures were for individual SPs to determine.

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VIS discussion  
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¶23. (U) Del reps met with the Head of the Policy and Review Branch Per Runn on 19 September 2006 to discuss the current status of the Verification Information System (VIS) and Secretariat plans automating the declarations process. Runn



confirmed that the VIS software development is on track. The migration of the current industrial data into the VIS, all the industry data declaration modules, and the document-tracking component will be completed by the October Security Audit. Secretariat 2007 VIS development efforts in 2007 include an inspection planning module (to be ready for audit in March), development of a validation tool for states to "clean" electronic data, a format tool to support states' data entry and electronic declaration submission preparation, and an initial design of a module to enable the Secretariat to automate management of CW data.

124. (U) Runn also reported the Secretariat's plans for reaching out to States Party. The Secretariat is encouraging the states with the largest industries to make electronic data declarations of the 2006 ADPA due in March 2007. These states also would be encouraged to share their experiences with other States Party. In order to maintain VIS funding, Runn must show widespread states' interest in making electronic data declarations. (Note: The TS launched its promotional at the September 2006 Industry Workshop, see above for details.) Runn also plans to hold VIS presentations for attendees of the December 2006 National Authority Days and to include short presentations during Regional and Sub-Regional meetings of National Authorities. Runn also plans to arrange VIS training sessions in capitals and in The Hague. He also would like to match interested experts with experienced experts from states that have submitted electronic declarations. Finally, the Secretariat plans to provide an unclassified website with FAQs regarding electronic data submissions, documentation on formats, a letter on secure transmission, a dedicated help line for the VIS, and a group email address to answer specific VIS-related questions.

125. (U) The Secretariat will not require states to submit both paper and electronic data. The submitting state will be responsible for ensuring the original electronic data are correct. The TS prefers only electronic data in the form of an original CD, handed over by delegations or mailed to the TS. The Secretariat plans to make redacted electronic data available, on request, in either CTFS or XML form. How States Parties will make such a request is still under consideration. Ultimately the Secretariat might decide

not to accept paper copies of declarations to encourage remaining states to "go electronic," as long as states are provided the necessary tools to automate their declarations. Although the VIS will be able to track all changes made over time to each data element, the Secretariat is not certain whether the Convention would require the Secretariat to give states the original declaration, an

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amended declaration, or the original declaration plus all amendments. Finally, Sandor Laza, Head of the Information Validation/Industry Branch provided del reps a demonstration of the VIS.

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UNIVERSALITY  
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126. (U) The facilitator for universality, Said Moussi (Algeria), held a consultation on September 28, 2006. The primary focus of the meetings was the upcoming universality meeting for Mediterranean states to be held in Rome on October 25-27, 2006, and the proposed universality - national implementation meeting for African states tentatively scheduled for November 13-14, 2006 in Algiers. The facilitator began the meeting by noting that with the ratification by the Central African Republic, the OPCW's membership would be 180 SP's in the coming days.

127. (U) The DG said that with the addition of the Central African Republic, there were only approximately 15 countries to go before the CWC would be universal. As the number of non-SP's continued to shrink, according to the DG, the

pressure on those remaining outside the CWC would increase. He said he had recently met with the Burmese Ambassador and he would continue to put pressure on Burma. The DG also said that he would strengthen the TS's focus in the Caribbean. On Africa, the DG said enormous progress had been made over the last few years and he hoped that progress would continue. He attributed the recent success in the CAR to meetings that Rafael Grossi, the DG's Chief of Cabinet, had in Bangui with the Prime Minister, parliamentarians, and others.

¶28. (U) In the DG's view, the big problem remains the Middle East. He noted the generous support being provided by the EU for the Rome universality meeting (approximately 45k euros) and acknowledged the work being done by Italy in organizing the meeting. The DG said that the EU would be sending Annelise Gianelli, who is Solana's Special Envoy on WMD, to the meeting. He said the Lebanese Ambassador had just informed him that Lebanon would be increasing its level at the meeting to possibly include the Lebanese Foreign Ministry's Director General as well as the Lebanese Ambassadors to The Hague and Rome. Syria has indicated that it will send representatives from the MOD and MFA. Israel as well has told the DG that it will send representatives from capital. The DG believes that Egypt will once again send representatives to from its Council on Foreign Relations but the DG has not ruled out the possibility that official representatives could be sent as well.

¶29. (U) Finland, speaking on behalf of the EU Presidency, said that universality was a key part of the EU Joint Action Plan. The EU Presidency plans on contacting non-SP's in the region to encourage their attendance. The Italians noted that they had demarched all of the non-SP's in the region to attend and would be following up in the run-up to the meeting. The Netherlands asked if Iraq would be attending the Rome meeting and the DG said that he believed that they would, as well as at least 18 other SP's, including many from the region. Japan said they would seek to encourage the Egyptians to attend the meeting at an official level. Germany and China indicated that they would be sending representatives from capital.

¶30. (U) After the consultation, the DG approached the U.S. delegation and urged us to send representatives to the Rome meeting. He said that for the U.S. to only send a Third Secretary from our embassy in Rome would send the wrong

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signal in terms of the importance that Washington ascribes to universality, especially given the fact that other

delegations were sending more senior ranking officials. He noted that the EU was sending its Special Envoy on WMD issues and that several other P-5 countries were sending representatives from capitals. Ambassador Javits said that we were continuing to study our options and hoped to have an answer soon on the level of U.S. representation.

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REVCON WORKING GROUP  
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¶31. (U) Ambassador Lyn Parker (UK) chaired a meeting of the Working Group for the Second Review Conference on September 29, 2006. Approximately 50 delegations attended the meeting. The meeting focused on finding a date for the last revcon working group meeting of the year, listening to national statements on planning for the revcon, and a discussion of the modalities of the participation of external bodies in the review conference.

¶32. (U) On the meeting schedule of the working group, Ambassador Parker observed that there was a large ICC meeting on the 1st of December and the 8th of December would be during the week of the CSP. For these reasons, he proposed that the last meeting of the year be held on December 11th. There were no objections. The next meeting of the working group will be November 13.

¶33. (U) The DG introduced the TS background paper concerning developments related to issues that were considered at the first review conference. The DG noted that Ralf Trapp had prepared the document and that he believed it was a balanced and factual account of issues covered at the first review conference.

¶34. (U) Cuba, speaking on behalf of the NAM and China, said that the Nam and China would be holding a meeting the following week to discuss NAM strategy concerning the review conference. Cuba urged that the revcon working group process be transparent. The Cubans referred to paragraph 103 concerning the CWC of the NAM declaration that emerged after the recent NAM meeting in Havana which highlighted the importance technological transfer, universality, the removal of all discriminatory restrictions in the trade of chemicals used for peaceful purposes, and called on possessor states to help other possessor states in need of assistance to carry out their destruction programs.

¶35. (U) USDel delivered the talking points provided in Washington guidance concerning the working group. USDel also thanked the TS for the helpful background paper provided to delegations by the TS.

¶36. (U) Mexico said that destruction was the issue that should be of paramount importance during the review conference. Other issues that should be addressed during the preparations for the review conference include: late declarations, OCPF site selections, discrepancies in transfers, and a critical assessment of the role to be played by external bodies including NGO's based on previous experience.

¶37. (U) The Netherlands said they had no prepared comments but would like to discuss preparations for the review conference from the perspective of being the facilitator for Article VII. The Dutch said that it was important that the OPCW broaden its exposure. The Dutch also said they were working on planning a challenge inspection exercise at an active industrial facility in the Netherlands. (Comment: It is unclear what any of this had to do with the review conference working group. End Comment)

¶38. (U) Sweden said they supported the idea of using the First Review Conference report as a starting point for the Second Review Conference. The Swedes also said that it was important to focus on recent scientific and technological developments and what impact they could have on the CWC. Sweden would also be interested in how new technological developments could play a role in verification, particularly

in the area of biomedical sampling. Finally in a clear reference to destruction deadlines, Sweden said that the review conference should be a review of the past and should not focus on possible future events.

¶39. (U) The Chair reiterated that delegations had agreed at the last meeting to use the First Review Conference report as the basis for future discussions. He said that the bureau would meet in the near-future and decide how to divide up the sections of the report in the order in which they appear. He said that if delegations planned on submitting national papers it would be helpful to have them well in advance of the meeting in which the given subject would be addressed.

¶40. (U) On the question of external body's and NGO participation, the Chair asked delegations for their thoughts on the best way to solicit written contributions from NGO's and other external bodies. The Chair proposed using the OPCW website to invite external bodies and NGO's to participate and to solicit written submissions.

¶41. (U) USDel suggested that we generally adhere to the system that was used at the First Review Conference. He cautioned, however, that the TS should be careful about sending out individual invitations to NGO's as this had been



viewed as exclusionary by some at the last revcon. USDel noted that at the last revcon the bureau had acted as a filter in terms of participation by NGO's and external bodies as well as written submissions.

¶42. (U) The UK said they supported the bureau playing a filtering role as well. The UK also called for NGO participation to be as broad based as possible.

¶43. (U) South Africa supported using the last revcon document as a basis for discussions. South Africa suggested discussing the issue of how to invite NGO's and external bodies further at the next bureau meeting before issuing an invitation on the website.

¶44. (U) Germany supported the U.S. and suggested that a meeting involving industry representatives should happen well in advance of the review conference itself.

¶45. (U) The Chair said that industry and SAB input would be important and most useful if received well ahead of the review conference. He said he viewed the issue of soliciting written submissions and invitations to attend as two separate issues.

¶46. (U) India associated itself with the NAM statement and supported the idea of using the last revcon document as a basis for discussion. India said that NGO's clearly had a role to play at the revcon but suggested that discussions continue in order to determine best how NGO's could interact with the revcon.

¶47. (U) Belgium called for a more intense dialogue with industry in the run-up to the revcon and a more active dialogue with the SAB. China supported the U.S. intervention and concurred that same procedures used concerning external bodies participation in the revcon should be used again. China said they were opposed to sending individual invitations to NGO's.

¶48. (U) Sweden suggested that documents submitted by external bodies should be distributed electronically and asked if such submissions in the past were distributed as OPCW documents. The Chair responded that they were not. Japan supported Sweden's suggestion and the U.S. intervention.

¶49. (U) Canada said that the revcon should primarily be for SP's but that encouraging the active participation of external bodies and NGO's could be an effective means to raise the OPCW's profile. Canada suggested that written submissions from external bodies should be solicited as soon as possible. Canada also noted the positive role played by the International Union for Pure and Applied Chemistry (IUPAC) at the first revcon.

¶50. (U) The DG said that he has already asked the SAB to look at technological developments including nanotechnology and new reactants. He attended their meeting last week in Bologna, Italy. He has also written to IUPAC. The DG agreed that the website could be a useful tool to reach out to NGO's but added that SP's could also play a role by contacting NGO's in their countries.

¶51. (U) Bangladesh suggested that a list of criteria should be developed to use when considering which NGO's to accept. The Bangladeshis also suggested that other relevant international organizations should be invited as well. South Africa supported the creation of criteria.

¶52. (U) In his summary of the meeting the Chair implicitly pushed back against the idea of creating formal criteria to use in determining which NGO's should be invited to attend the revcon or submit written contributions. He said that he would start working in the bureau on how to solicit written submissions. He would also start working on developing a process to reach out to industry groups. The Chair said it was important to be clear that the acceptance of a written

submission would not automatically guarantee the right of an external body or NGO to attend the conference; these would be two separate processes.

¶53. (U) He urged any delegation that has strong views on this issue to approach him, or if the delegation felt more comfortable to approach the regional vice-chairs of the bureau. Ambassador Parker said he would also look at having meetings with the SAB and industry groups well in advance of the revcon. He said he would, working with the bureau, attempt to draft invitation language that could be used and have it ready for the next working group meeting on November ¶13.

JAVITS SENDS.  
BLAKEMAN